



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Akihisa INOUE et al.**

Art Unit: **1793**

Application Number: **10/540,527**

Examiner: **John P. Sheehan**

Filed: **April 13, 2006**

Confirmation Number: **5338**

For: **SPHERICAL PARTICLES OF FE BASE METALLIC GLASS
ALLOY, FE BASE SINTERED ALLOY SOFT MAGNETIC
MATERIAL IN BULK FORM PRODUCED BY SINTERING THE
SAME, AND METHOD FOR THEIR PRODUCTION**

Attorney Docket Number: **052667**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

November 7, 2008

Sir:

This paper is submitted in response to the Office Action dated October 7, 2008.

In the Office Action, restriction is required between Group I (Claims 1-3) and Group II (Claims 4 and 6).

Applicants hereby elect the subject matter of Group I (Claims 1-3) for prosecution in this application.

This election is made **with traverse** because this application is a US national stage of **PCT application**. Group I and Group II satisfy the combination of categories provided in under 37 CFR § 1.475(b) and satisfy unity of invention under 37 CFR §1.475.

Application No.: 10/540,527
Art Unit: 1793

Response to Restriction Requirement
Attorney Docket No.: 052667

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Sadao Kinashi", written in a cursive style.

Sadao Kinashi
Attorney for Applicants
Registration No. 48,075
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

SK/ar